

PLANNING COMMISSION SUMMARY

ITEMS: Rezone property from PUD (Planned Unit Development - Centerplace) to MU-H (Mixed-Use High Intensity)

FILE NUMBER: ZON2021-0019

PROJECT: Watermark Rezone

LOCATION: South of Centerplace Drive at 38th Avenue

APPLICANT: Sam Coutts of Ripley Design Inc., on behalf of Gilbert Commercial Land LLP

CASE PLANNER: Brittany Hathaway, Planner III

PLANNING COMMISSION HEARING DATE: April 26, 2021

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by the applicant and the public and shall then make a recommendation to the City Council regarding the application in the form of a finding based on the review criteria in Section 24-204 of the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is considering a request to rezone 23.49 acres from PUD (Planned Unit Development - Centerplace) to MU-H (Mixed-Use High Intensity)

The subject site is located south of Centerplace Drive at 38th Avenue (see Attachment A).

A. REQUEST

The applicant requests to rezone from PUD to MU-H for a proposed mixed-use development that would include a multi-family apartment complex use and an adjacent commercial use. The multi-family use would encompass approximately 11 acres of the parcel and 2 acres would be available for commercial uses.

The parcel contains an approximate 4-acre area of ecological significance, which would be preserved as open space. The open space is proposed also include a prospective private park of roughly 2 acres on the east side of the project, abutting the existing Longsview Townhome development. Please see Attachment C (Rezone Package – Zoning Suitability Map).

B. STAFF RECOMMENDATION

Approval

C. LOCATION Abutting Zoning/Land Use:

North: PUD (Planned Unit Development)
South: PUD (Planned Unit Development) and US Highway 34 Bypass
East: R-H (Residential High Density) and C-H (Commercial High Intensity)
West: PUD (Planned Unit Development)

Site Characteristics:

The site is undeveloped with a drainage area that bisects the property.

Surrounding Land Uses:

North: Creekstone Apartments and vacant land
South: US Highway 34 Bypass
East: Longview Townhomes and car dealership
West: Commercial and commercial big box (TJ Maxx, Hobby Lobby, Best Buy etc.)

D. APPROVAL CRITERIA

Development Code Section 24-204 Rezoning Procedures

The review criteria found in Section 24-204(b) of the Development Code shall be used to evaluate the zoning amendment application.

1. The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.

The Imagine Greeley Comprehensive Plan's Land Use Guidance Map designates the subject property as Mixed-Use High Intensity. Supported uses include residential, commercial, office, retail, and institutional. A mix of uses, either vertical or across multiple sites, are encouraged. The proposed Mixed-Use High Intensity zoning with horizontal mixed-use including residential with a commercial pad site is supported.

Additionally, the following specific goals and objectives support the proposed rezone:
Growth and City Form:

- GC-1.2 Form of Growth: Encourage compact urban form over sprawl development.
- GC-1.6 Transitions to Parks and Open Lands: Ensure new development abutting land intended to remain undeveloped, such as environmentally sensitive areas, provides for transitions in uses and intensity that mitigate impacts on these areas.
- CG-2.2 Jobs/Housing Balance: Support zoning and development patterns that expand opportunities for people who live in Greeley to also work in Greeley (and vice-versa).
- GC-2.3 Pedestrian and Bicycle-Oriented Development: Encourage development patterns that encourage walking and bicycling whenever possible – by locating employment, shopping, and other services within a quarter mile of residential areas.
- GC-4.3 Infill Compatibility: Promote the use of site design and building

architecture that is sympathetic to the surrounding area and enhances the desirable character and form of the neighborhood area.

Economic Health and Human Services:

- EH-2.4 Land Use: Promote land use decisions that support walkability and improve access to basic needs.
- EH-2.5 Walkability and “Bikability”: Plan and design neighborhoods so employment, schools, shopping, parks, transit and other facilities are within a 10-minute safe walk of housing.
- EH-2.6 Built Environment: Encourage construction of built environments that support health and active living, such as mixed-use centers and neighborhoods, that support walkability and provide safe options for active transportation.

Natural Resources and Open Lands

- NR-3.5 Preservation of Natural Areas: Work with developers to protect important natural areas, native wildlife habitat, vistas and other significant or environmentally sensitive lands.

2. The proposal can fulfill the intent of the zoning district considering the relationship to surrounding areas.

Staff Comment: The mixed-use district encourages a mix of residential and commercial uses in a walkable setting that complements higher density areas or serves as a center of a more intense multi-modal or regional destination. Due to the neighboring big box developments to the west and residential to the east and northeast, the proposed concept supports land use transitions in the surrounding area as by proposing compatible development.

The applicant proposes to place open space and a private park adjacent to an existing townhome and commercial development to the east to provide a buffer for both new multi-family development as well as the existing townhomes.

The proposed placement of a commercial tract at the northwest end of the parcel would also buffer high traffic movement on the access road from the proposed residential uses as well as provide a needed commercial tract in the area. The proposed residential development would also be within walking and biking distance to services, restaurants, employment, and retail.

3. Whether the area changed, or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area

Staff Comment: The Centerplace area has seen ongoing substantial development becoming one of the main commercial and residential corridors in the City. Development continues north of Centerplace Drive to include needed residential and new commercial developments. The area is also a high-employment area, primarily service related. A rezone to provide additional high density residential would encourage price competitiveness in addition to housing within walking or biking distance to many employers and schools.

- 4. Whether the existing zoning been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity.**

Staff Comment: The existing zoning has been in place since 2000 with an update in 2015. The current zoning, approved in 2015, restricted development in the area to a degree the site has remained vacant. Restrictions included gas stations and auto uses, laundromats, lodging, veterinary services, all residential uses, day cares, to name a few. Given current trends and vacancy of the parcel for over 20 years, Staff determines that the existing zoning is inappropriate and obsolete.

- 5. The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces and other open space; the pattern, scale and format of buildings and sites; and the compatibility and transitions with other complimentary uses and development.**

Staff Comment: The proposed zoning would provide complimentary development options to surrounding zoning and existing uses by creating a reasonable transition between residential and higher intensity commercial uses. The parcel is also located approximately 0.25 miles from Greeley West Park, which in addition to a proposed on-site park and open space, would provide future residents with walkable access to recreational activities.

- 6. The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.**

Staff Comment: The City and other agencies have analyzed the proposed uses and are able to provide needed services based on the provided conceptual traffic study and preliminary drainage report. Detailed analysis would be conducted at site plan and plat review.

- 7. The change will serve a community need, provide an amenity or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property, making the proposed zoning more appropriate than the current zoning.**

Staff Comment: Both initial and more recent zoning of the property assumed big box retail uses. The market study provided with the rezone application described and examined the existing retail vacancy rates and site constraints, and concluded these factors would limit potential development under its current zoning designation. By

creating a mixed-use parcel, commercial uses allowed in the C-H district would be permitted on the least constrained and most visible portion of the site. The proposed high-density multi-family residential use would provide a buffer against high intensity commercial and existing townhomes to the east, as well as providing needed housing.

8. Any reasonably anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community.

Staff Comment: The applicant has provided conceptual layouts that would provide both commercial and residential amenities, such as a clubhouse, along the frontage to help buffer some of the anticipated traffic noise from Centerplace Drive. The conceptual layouts also accounted for existing site constraints, such as ecologically significant areas and use buffering between existing residential and proposed development. The rear of the property abuts the US Highway 34 Bypass. The City's Development Code would require significant landscape buffering along Highway 34 to mitigate sound and headlight nuisances. Staff would critically review impacts and a detailed traffic analysis at time of site plan review.

9. The recommendations of professional staff or advisory review bodies.

Staff Comment: City staff recommends approval.

E. SITE CHARACTERISTICS

1. SUBDIVISION HISTORY

The property is currently platted as Tract A Centerplace Phase 3.

A minor subdivision would be required to create a buildable lot as tracts must be replatted into lots to be eligible for development.

2. TRANSPORTATION

The City's Transportation Planner and Engineering Development Review staff have reviewed the traffic impact analysis with the proposed concept plan and found that additional traffic would not create a significant impact on existing roadway systems.

No additional improvements were warranted based on projected traffic. Further analysis would be conducted at time of site plan review once exact layouts and densities are confirmed.

F. SERVICES

1. WATER

Water services are available and can adequately serve the subject property.

2. SANITATION

Sanitation services are available and can adequately serve the subject property.

3. EMERGENCY SERVICES

Emergency services are available and can adequately serve the subject property.

G. NEIGHBORHOOD IMPACTS

1. VISUAL

Any development plan application for the property would be reviewed for compliance with the City's Development Code requirements regarding visual impacts.

2. NOISE

Any potential noise created by future development would be regulated by the Municipal Code.

H. PUBLIC NOTICE AND COMMENT

Neighborhood notices for this meeting were mailed to surrounding property owners on April 8, 2022 and a notice was published in the newspaper per Development Code requirements. A sign was also posted on the site on April 8, 2022.

I. PLANNING COMMISSION RECOMMENDED MOTION

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from PUD (Planned Unit Development - Centerplace) to MU-H (Mixed-Use High Intensity) meets Development Code Section 24-204; and therefore, recommends **approval** of the rezone to the City Council.

Alternative motion:

Based on the application received and the preceding analysis, the Planning Commission finds that the proposed rezoning from PUD (Planned Unit Development - Centerplace) to MU-H (Mixed-Use High Intensity) meets Development Code Section 24-204; and therefore, recommends **denial** of the rezone to the City Council.

ATTACHMENTS

Attachment A – Zoning & Vicinity Map

Attachment B – Project Narrative

Attachment C – Rezone Package